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ABSTRACT

This collection of four short articles describes initiatives of the American Bar Association that bring the skills of mediation to the classroom. Suzanne Miller discusses a program that trains students to become mediators equipped to resolve disputes in their school peacefully. The program turns problem students into positive role models, teaches problem-solving and decision-making, and promotes leadership abilities. After a discussion of the history of conflict resolution in the United States, Miller describes the factors that have contributed to the success of a training program at Gifford Elementary School in Racine, Wisconsin. Reporting on the success of pilot programs in Cleveland, Ohio, Elisabeth T. Dreyfuss explains the costs and procedures for introducing the mediation process in schools and the benefits it contributes, particularly the reduction in disruptive behavior and the improvement in the learning environment. In an article on peer mediation in Rich Township High Schools, Cook County, Illinois, Anthony Moriarty and Shirley P. McDonald argue that mediation programs provide an ideal opportunity for students to participate democratically in solving disciplinary problems. Melinda Smith assesses efforts to introduce mediation into juvenile justice settings, with special attention to the New Mexico Center for Dispute Resolution, and concludes that these initiatives hold great promise for improving juvenile justice in the United States. (JD)

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Everybody Wins: Mediation in the Schools

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American Bar Association
Special Committee on Youth Education for Citizenship

Kids Learn About Justice by Mediating the Disputes of Other Kids

Suzanne Miller

A student mediator program trains kids to become mediators and help other kids resolve disputes peacefully. The training takes 17 to 20 hours and lasts a lifetime. At our school, it turns gladiators into mediators, lowers the risk for at-risk students, and brings out latent leadership ability in others. It decreases fights, hostility, suspensions, and office referrals. Thanks to the program, fear and stress are being replaced by friendship and trust. It is cooperative education at its best.

Want more benefits? The program turns negative leaders into positive role models, teaches problem-solving and decision-making, and empowers students—often for the first time—to solve their own disputes. It also eliminates the need for adult intervention. The mediators' self esteem improves as they perform a valuable service for their classmates and their school. Their grades go up and they walk taller. As disputants go through the mediation process, their self esteem also improves because they have been empowered to shape their own destinies. They must brainstorm their own solutions to the problems and sign agreements to live up to their promises. Because the solutions are their own, the overwhelming number of resolutions "hold" and disputants learn that in a mediation everybody wins and nobody loses.

Judge Dennis J. Flynn of Racine has written that "this is one of the most positive ideas to help youth that I have ever come across."

The program has produced these success stories:

- During her 6th grade year, Latonya was a frequent runaway, a street fighter who once brought a butcher knife to school, for which she was suspended. She had frequently been a disputant and had gone through several mediations when she expressed the desire to become a mediator. Her reason: "I've been in a lot of trouble myself and could help others." Latonya was trained as a mediator in 7th grade and not only was an excellent mediator, she'd actually drag fighters off the streets and into the school to be mediated.
- Laurie completed mediator training but somehow never felt comfortable in the mediator role. Instead, she wrote P.A. announcements publicizing the mediator program and took care of scheduling mediations and routing pass slips to the mediators and disputants so they could all meet during study center for the mediation. When Laurie moved into another middle school's attendance area and found that her new school had no mediation program, she campaigned until that school started a program.
- LaMont was a big, quiet, shy boy of color who conducted the first middle school mediation in the United States and became a highly successful and popular mediator. LaMont's grades improved after he became a mediator. He developed a great deal of poise and confidence and became involved in many other school activities. LaMont informally mediated disputes in the halls of the school and in the streets where he lived. He became the person to call when there was trouble in the neighborhood. When he graduates from high school, LaMont wants to become a lawyer.
- Sonya "fell through the cracks" before she became a mediator. She was a foster child who had lived in many homes and whose grades hovered between Ds and Fs. After she became a mediator, her sense of self-worth grew until Sonya became an honor roll student. Unfortunately, Sonya became pregnant before she could graduate from school. But once a mediator always a mediator. When Sonya was in the hospital to deliver her baby, she mediated a dispute between a couple having a serious disagreement.
- Rachel had a stepfather who frequently kicked her out of the house at the climax of heated arguments. After she became a mediator, she handled herself and her stepfather so differently that she was never kicked out of the house again.

While not all the success stories are as dramatic, mediators will clearly never quite be the same again. And while warring students may not become angels, they will always know that there is a way to solve their problems peacefully. At a time when human survival depends on finding alternatives to violence for resolving differences, there is no more compelling mission for educators.

Conflict Resolution in United States Schools

In the 1960s and 1970s, religious and peace activists began to understand the importance of teaching conflict-resolution skills to young children. At about the same time, teachers began incorporating dispute-resolution lessons into their curricula, but their efforts were unorganized and isolated. In 1981, Educators for Social Responsibility (ESR) organized these independent activities into a national association. Their central question—"How can students learn alternative ways of dealing with conflict?"—was precisely the question peace educators had addressed for years.

While educators were developing conflict-resolution curricula, neighborhood justice centers were sprouting all over the United States. In order to establish a more responsive and

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accessible justice system, these centers offered mediation services for interpersonal and community disputes. Volunteer mediators were trained in nonadversarial dispute-resolution skills, and they helped citizens resolve conflicts without using the courts. Both the volunteers and professionals quickly came to understand the importance of teaching youngsters conflict-resolution skills. And so community mediation programs began urging local elementary and secondary schools to initiate student conflict-resolution programs.

In the summer of 1984, fifty United States educators and community mediators met for a four-day School Mediation Institute to discuss starting conflict-resolution programs in schools. Because the participants wanted to maintain a support network for themselves and others who would be starting programs, they decided to form the National Association for Mediation in Education (NAME).

NAME members are pioneers in an exciting field. They are transforming schools from places where conflicts are handled by traditional means—suspension, detention, expulsion—into places where anger and conflict are accepted as part of life. They are teaching students at all ages how to deal with anger constructively, how to communicate feelings and concerns without using violence and abusive language, how to think critically about alternative solutions, and how to agree to solutions in which all parties win.

Anatomy of a Success:
Problem and Solution

In the spring of 1985, I invited Gilmore Middle School staff members to meet and discuss improving the environment at Gilmore: ways to make it a safer, more pleasant place to be for Gilmore's 6th, 7th and 8th graders and their teachers.

Almost twenty staff members responded, brainstorming problems and possible solutions. They called their project "Project Safe."

Some simple suggestions were made and implemented. For instance, stairways were made one-way at passing times to cut down on jostling and pushing.

The Safe Group felt most often peace and harmony was disrupted by disputes between two students which they are unable to resolve. There was the "He Said/She Said Syndrome." That's where one student tells another, "He said that she said that you're going to kick his butt after school." Within a short time, several people are involved and upset—and two people are ready to fight based on the rumors spread by others.

Then there were other conflicts typical of the middle school age group—name-calling, bumping into people and causing a fight, two friends suddenly not getting along anymore.

All these problems are the result of people not knowing how to handle relationships which have gone amiss—not knowing how to manage conflicts.

Drawing on the experience of other cities such as San Francisco and New York, the Gilmore committee decided to learn conflict-resolution skills themselves and then train Gilmore students to be mediators. The ultimate goal would be to have many students, teachers, and parents trained in conflict resolution and mediation. Those who were trained would better be able to handle their own conflicts and to help others solve their conflicts before they exploded into fights. The whole atmosphere of the school could be improved.

The Steps

Step One was to ally the Gilmore Safe Group with staff from the Dispute Settlement Center of Racine County. Professional mediators from the Dispute Settlement Center held eight two-hour conflict-resolution training sessions for teachers in the fall of 1985.

Mediation teaches students to deal with anger constructively, to think about alternative solutions, and to agree to solutions in which all parties win.

Gilmore teachers then trained twenty-one students to be mediators. They examined the training manuals and plans from other places and then tailored the curriculum for Gilmore students.

Assemblies were held to explain to the entire student body that mediation was a process in which a third party helps resolve a dispute in a way that nobody loses—and everybody wins. During this assembly, students presented a skit that illustrated the successful resolution of a dispute.

Finally, students were encouraged to apply for the training sessions which were being offered after school. More than fifty students applied. Twenty-one were chosen, with an effort to make the mix reflect the racial make-up of the school—and to include students who had a history of being involved in conflicts as well as students who didn't. We took care not to overlook students with latent leadership abilities and fighters. We wanted to turn street fighters around.

Students were trained in five afternoon sessions and one all-day session. At the end of the last day of training, the twenty-one students were give special "mediator" T-shirts. They were ready to mediate the conflicts of other students.

It had been just a year since the Safe committee first met to brainstorm ways to improve Gilmore's environment and make it a safer and more pleasant place to be.

Ready for Business

The newly trained mediators made P.A. announcements advertising their services. Teachers were given forms and were encouraged to recommend feuding students for mediation.

Students were encouraged to request mediation for their own conflicts by filling out request forms available in the counseling office.

The morning of March 13, 1986, brought some business. LaMont Langford was called to mediate the first dispute, one between two boys who constantly bumped into each other while changing clothes at adjoining gym lockers. As part

of the signed resolution agreement, the boys asked the gym teacher to separate their gym lockers. They agreed not to hassle each other, and shook hands on the agreement.

The word started getting around, and the mediation business picked up. The mediators had a really good feeling about themselves and what they were doing. The students who had their conflicts mediated liked settling their own problems with the help of other students rather than having a teacher or principal step in.

We found that the majority of students say they'd rather have a student mediator handle their disputes than a teacher, counselor, or principal because: "It's easier to talk to someone your own age," "Another student understands," "Other students have had similar problems," "Students don't 'bust' you!"

The Results

By March 15, 1988, two years after the program began, more than fifty student mediators had been trained, more than 500 mediations had taken place, and the effects of Gilmore's peacemaker program had been far-reaching. In the community, an elderly lady said, "Whenever we have trouble in the neighborhood, we call for one of your mediators." Other mediators are also called on in their homes, churches, and neighborhoods to help resolve conflicts.

At a public meeting in which conflict resolution was being discussed, one person said, "They must have one of those conflict resolution programs at Gilmore. I used to substitute there and stopped because there was so much arguing and fighting. I substituted there again this year and it is so different. Instead of fighting, kids are talking about contracts and mediation...."

Having what was probably the first middle school mediator program in the United States, and certainly the first student mediators of any age in Wisconsin, turned out to be like having a wonderful tiger by the tail.

The Gilmore program has continued, and extended to help train student mediators from other schools in the area. Mitchell Middle School joined the program, as did Mitchell Elementary School in the fall of 1988. This process has been repeated in several Racine elementary, middle and high schools. By the beginning of the 1992-93 school year, there was such a demand for training that it became more practical to train teachers, counselors and administrators who, in turn, would train their own students.

From the modest Gilmore start in March of 1986, programs have sprouted throughout Wisconsin, Minnesota and Illinois.

How to Do It

The preceding history of student mediation programs in the Racine area illustrates how one district did it. Not necessarily the best way, but a very common way.

Teachers in my college class, Conflict Resolution for Educators, frequently ask, "Can a program start with just one teacher?" The answer is "Yes, of course." Historically, most programs do start with one person and one small group of students. The idea is so successful that others become interested and the idea spreads.

There are many other models. One from Champaign/Urbana, Illinois, is easy and practical. It could be described as the many-to-many more in contrast to the Racine one-to-many model. This school district held a two-day workshop for teachers and administrators, staffed by mediators and educators trained in mediation. From this seminar came visits by Illinois educators to Racine to see student mediator programs in action before starting their own programs.

Most programs start with one person and one small group of students, then spread because the idea is successful.

Whatever the model, wherever the program, we believe that a peacemaker program serves as a school-wide discipline program that empowers students to regulate their own behavior rather than being controlled and policed by adult authorities.

Whether a program starts with one teacher in one school or, better, with district-wide commitment, the first ingredient is a spark of interest in starting a student mediator program. One person or a group of people can have that interest. But then what?

1. *Join the National Association for Mediation in Education (NAME).* Order publication list and membership directory.
2. *Contact a professional mediator.* NAME is one resource; (see the box on page XX for others). Colleges often have courses in mediation. The local bar association is another resource.
3. *Publicize the concept of student mediation* in assemblies, newsletters, and over the school P.A. so interested students, teachers and parents can get involved.
4. *Form an advisory council* of teachers, counselors, administrators, parents and students to form policies and make decisions.
5. *Decide on adults to be trained and involved.*
6. *Engage a professional mediator to train teachers and staff.* This will take approximately twenty hours. Often credit can be arranged through a local college. NAME has a directory of mediators who will present training institutes around the country. Training can take place on weekends or on school days if substitute teachers can be provided.
7. *Purchase or write a curriculum for training students.*
8. *Advertise for student trainees* and have each fill out an application form which includes the following questions:
   A. Why do you want to be a mediator?
   B. How do you think student mediators will be helpful to this school?
   C. When you disagree with someone, how do you usually resolve the dispute?
   D. In what ways have you shown leadership?
   Include a contract for students to sign agreeing to attend

all training sessions and a paragraph asking for parent permission. It is also a good idea to devote a section for a teacher to recommend the student for mediator training.

9. *Select the trainees.* This is the most difficult part of the whole process because it's subjective and unscientific. Get the advisory committee involved in the selection process.

   In a school of 1,000 a good number of mediators to train is twenty-one. (Numbers divisible by three make for good role-playing.) You might want six or twelve. Some schools have trained a whole room of students, knowing all will benefit from the training but not all will want to be active mediators.

   Whom do you select? Select a group that reflects the racial and ethnic makeup of your school. Balance males with females and honor roll kids with average students and streetwise negative leaders. Often the biggest "troublemakers" turn out to be the most effective mediators. A good question to ask as you select trainees is, "Who will benefit the most from being a mediator?"

10. *Train the student mediators.* Set aside seventeen to twenty hours for mediator training. After school usually works better, with late or activity busses governing the length of each session. If your district has summer school, the ideal way to train students is to offer conflict resolution as a summer class.

    Set a limit of absences students can have and still continue the training. Since twenty hours is not really enough time for training as it is, two absences should be the maximum number allowed.

    Training should end with a longer session in which professional or trained adult mediators critique the trainees as they role play mediations.

    At the end of training, mediators can be awarded certificates, arm bands, badges or T-shirts identifying them as mediators.

11. *Start the program.* Publicize the start of the program in the newspaper, in newsletters, in assemblies and over the P.A.

    Distribute forms to teachers, parents, bus drivers and students which can be used to request or recommend a mediation. (The bulk of mediations are requested by the disputants themselves.)

    Decide whether mediators will work solo or in teams of two. The team approach has worked out very well in many school districts.

    Decide where and when mediators will be held and which adult will be nearby during mediations.

    Create a duty roster, putting two or more mediators "on duty" each day during each mediation time which can be recess, lunch, or during study centers or home room periods.

12. *Keep the program going.* On daily P.A. announcements, thank by name the mediators who conducted mediations that day, and remind the students that they can request mediations for their disputes.

    Hold monthly meetings with the mediators to discuss problems, strengths, questions. Provide some in-service at each meeting. Remember a mediator is never "done."

    Each year, train a few new mediators with "old" mediators assisting. Give frequent reports to staff, parents and community through press releases sent to bulletins and newspapers.

    At award ceremonies, give mediators some sort of certificate or other form of recognition.

What It Costs

The Gilmore program started and operated for several years without any money. Later, a mediation program was written into the Gilmore and Mitchell budgets for approximately $300 because the program meets the needs of both at-risk students and the students who are gifted and talented in the area of leadership.

Mediation has many positives and almost no negatives, and it teaches life skills that will serve the students all their lives.

In Urbana, Illinois, Urbana Junior High was able to get local businesses to underwrite the cost of producing their program's brochures and other printed materials.

In some areas, programs are funded by the local bar association, service clubs, the county or city, the school district, foundation grants, or a combination of some of the above.

Another possibility worth pursuing is a business-school partnership. As these efforts continue to grow in number throughout the country, a student mediator program is one that offers local businesses real possibilities as a joint venture.

What It Means

Educators who are involved with student mediation programs feel they are the most beneficial programs they've ever been associated with: they have many positives and almost no negatives. These educators realize that the programs are teaching life skills which will serve all the students all their lives. They're aware that this is indeed law-related education; certainly life-related!

With all their variety, school-based conflict-resolution programs share a common goal: to show young people that they have many choices, besides passivity or aggression, for dealing with conflict and to give them the skills to make those choices real in their own lives.

The beauty is that the student mediators, even third and fourth grade mediators, will tell you without being taught and without prompting, that there can't be world peace until there's one-to-one peace right in their own school and neighborhood.

Suzanne Miller is Assistant Principal of Gifford Elementary School in Racine, Wisconsin, and an instructor at the Graduate School of Carthage College in Kenosha, Wisconsin.

School-Based Mediation: Cleveland's Win-Win Situation

Elisabeth T. Dreyfuss

Our schools reflect our society and are vulnerable to its trends. Students are becoming increasingly comfortable with aggression and increasingly willing to use violence as a way of resolving disputes. Those of us who have worked in schools as LRE trainers and teachers are encouraged that solutions can be found through developments in the field of alternative conflict-resolution, which addresses these problems.

As others in our profession, we have been inspired by former Chief Justice Warren Burger's vision of a multidoored courthouse. As actors in schools, we have participated in their governance, particularly in working to provide alternatives to suspension and expulsion. The work of Mary Parker Follett, Roger Fisher, William Ury, Raymond Shonholtz, and others has provided the theoretical and practical basis on which many of us have built school-based conflict-resolution programs.

In the case of our Street Law Program at Cleveland State University's law school, an important opportunity was presented to us in 1980 as we participated with the Cleveland Public Schools in the development of the Law and Public Service (LPS) Magnet High School. As we designed its law-related curriculum, we included mediation skills in ninth-grade social studies and established a student organization to provide mediation services to the student body.

What we learned at LPS we continue to share with other school districts. Through the work of Judith Zimmer, who provided the original leadership in setting up the LPS Magnet Mediation Program, and Artemus Carter, a graduate of that program who now works as Youth Coordinator of our Street Law Program, students in over fifty cities in more than a dozen states actively work in their schools to help classmates resolve conflicts.

Like many people in the field of school-based mediation, I have been stunned by its success. These programs have enabled schools to move from punishment-based discipline to an instructional mode where students learn from conflict.

Advantages for the School Community

Mediation programs enable school community members to see conflict as natural and normal, and they provide an avenue to address student grievances. An episode of insult or unwanted touching, for example, can be raised across the mediation table, which provides a place to get facts straight and to get feelings out. "I hate it when you spit in my hair" is the beginning of a mediation, not just a comment falling on deaf ears as the perpetrator walks away laughing.

As a long-time school person, I am impressed with the ways in which these programs give schools a handle on issues they have not traditionally dealt with very well. Unwanted touching is a part of daily life in an American high school. No school rule deals with it effectively. Teachers, administrators, and counselors have tended to minimize it with "Oh, he is only flirting with you" and "Well, just try to avoid her." Contrast these responses with the eye-opening dialogue that results when a victim tells an offender that this conduct is ruining the victim's day, causing absence from school. "Oh, I thought you liked it" is the beginning of two students redefining the way they deal with each other.

In a certain sense, social studies education, including LRE, has always looked at ways in which societies move forward through processes of conflict resolution or fail through the inability to resolve conflicts. Mediation provides an opportunity for students to study conflict and thereby gain control over the events of their own lives. It is a way for them to build relationships within the school as a community and to resolve disputes there.

Schools hold students together in long-term relationships. We are surprised at the degree to which students carry forward personal grievances from one year to another. Petty disputes divide and isolate one student from another and groups of students from other groups. As our youth become more ethnically diverse and more estranged from adult authority, conflict resolution programs become more and more relevant.

Bringing school resources and brains into the discussion of conflict has many advantages. Specific training in understanding and dealing with conflict strengthens young people as students, as citizens, and as producers of wealth.

I've been stunned by the success of school-based mediation. It enables schools to move from punishment-based discipline to helping students learn from conflict.

Recently, students from Harry E. Davis Middle School came to Cleveland-Marshall for their third mediation training session. The day before, the start of their school day was marred by a fatal double shooting in front of the school.

I marvelled as these antsy, energetic twelve- and thirteen-year olds settled into their seats in our moot courtroom. Soon they were into their first trial rounds, in which they practiced mediating disputes inspired by their school conflicts. Soon I knew that, once again, a group of students had accepted and committed to learning and using the skills and process whereby individuals will be heard, will listen, will generate options, and will redefine their relationship with one another on mutually acceptable terms.

Background for Success

Who could know that, for our role in creating a mediation program for Cleveland's LPS Magnet High School, we would be recognized with a gold medal by the Committee for the Advancement of Education? We had originally been inspired in the early 1980s by our local Cleveland Foundation's interest in a community mediation program in

Scotland, as well as the San Francisco Community Board's playground program. We were fortunate that a community-based program on Cleveland's west side was willing to work with us to develop a training program for LPS's first group of students, 125 ninth graders.

This period was when New York and Massachusetts were adding conflict resolution to their repertoire of social-service programs, and when other high schools across the country added school-based mediation programs to their schools' discipline spectrums.

A rising level of violence inside and outside our schools motivated us to find an alternative way to resolve conflicts. What made mediation so attractive was its premise that conflict is a natural and normal part of daily life. Further, we felt that mediation offered a process whereby students could move from conflict to problem identification. Once disputants identified what was at issue between them, they could begin to understand their dispute with newly acquired skills involving active listening and empathy, moving beyond what had triggered their conflict to a point where they could redefine their future relationship by generating optional ways to deal with each other.

The climate at LPS became one in which mutual respect and daily civility were the norm. "Don't we have an option?" became part of the students' vocabulary as they faced problems of sharing resources, dealing with gossip, and resolving misunderstandings. The daily expectation that disputes would be dealt with early and that feelings would be expressed and listened to made a day at LPS predictable. In increasing students' sense of control over the events of their lives, this expectation created a community of trust.

Program Costs

The mediation program at LPS Magnet High School had a startup cost of $1,200 in consultant services for a team of professional mediation trainers. As one of three school planners, I was supported by area foundations and the school district to develop the curriculum. In addition, Judith Zimmer, now a deputy director of the National Institute for Citizen Education in the Law, was compensated for her efforts in developing the program's substance and structure.

Inherent in our design was the idea that students would operate the LPS model, that they would be trained to train new students to take their places as they graduated, and that no adult would be needed to staff the school's mediation effort. Although the program has changed in the last few years, it continues to provide local, state, and national training along the lines of the original low-cost model. This is how it works:

- Creating a two-week unit and adding it to the ninth- grade social studies curriculum ensures that every high-school student knows what mediation is and masters its basic skills.
- Creating an organization for students interested in serving their school as mediators provides a program staff.
- Enabling the organization's leadership to receive referrals from school administrators and disputing students establishes an intake system.
- Training teachers and other interested school-staff members in the process makes adults available to serve on the three-member mediation panels that hear student-to-student disputes.
- Designating a few students to handle administrative functions allows them to assume the responsibility for handling the logistics of setting up, scheduling, documenting, and following up on mediations.

Our model is low cost. Students operate it and train new students to take their places as they graduate.

- Training enough students in the process ensures that they can train, serve on panels, handle public relations, troubleshoot, and record-keep without jeopardizing their academic responsibilities.

Conclusion

School-based mediation programs have added an important dimension to the spectrum of school discipline. At Cleveland's LPS Magnet High School, we see it as a win-win situation. Schools win because disruptive behaviors are reduced, instructional time is increased, and the learning atmosphere is not trivialized by rogue students. Students win because injustices are addressed rapidly and resolutions reflect the disputants' interests. Finally, the community benefits because its schools are places where positive behaviors are favored, students are prepared to play dignified and appropriate citizen roles, and respect and civility are guaranteed.

Elisabeth T. Dreyfuss is Assistant Dean for Community Education About Law at Cleveland-Marshall College of Law, Cleveland State University.

How Peer Mediation Helps Students Resolve Real-Life Conflicts

Anthony Moriarty and Shirley P. McDonald

The application of law-related education (LRE) to a school environment is no better exemplified than in a program of peer-based mediation. In a democratic society, the legal system and education find a natural confluence in mediation, a process that applies democratic principles to the resolution of real-life conflicts in children's and adolescents' lives.

Democracy, by our definition, keeps the process of, and the responsibility for, problem solving with those who have the problem. Although democracy is a prominent concept in school curricula, seldom has the opportunity been provided for the students to practice and experience the outcomes of

the democratic process. Promoting a greater understanding of the impact of democracy on our society and our daily lives is central to LRE, and while many schools agree in principle with LRE's concepts, few have discovered ways to provide students with opportunities to apply them in resolving interpersonal school experiences. Peer mediation resolves this dilemma by providing a direct link between democratic principles and the student's social domain.

A Change in School Discipline

By providing an arena for actively involving students in solving their problems, peer mediation represents a significant change from most traditional school discipline applications. Instead of a situation in which students passively accept standard school-administrator decisions, peer mediation allows students to experience democracy at the grassroots level, while school personnel set aside the authoritarian approach to conflict management and use real-life experiences to teach the democratic process.

Selecting the right students to be mediators is a key. We tried to find kids with leadership characteristics—ones who have "clout" with their peers.

Our initial decision to develop a mediation process in high school evolved from experiences both of us felt were valuable and should be built upon. In Illinois during the 1980s, due-process hearings were the accepted route for contesting special-education decisions. The system was overloaded with such disputes, and state officials were looking at mediation as an intermediate step to intervene in them. Many of the elements of our mediation approach were derived from the training we received as participants in this process. Also, our mutual awareness and concern that schools were not teaching students effective ways to take responsibility for and learn from their own actions led us to search for a system of more positive and educationally sound approaches to the school discipline task.

The Rich Township High School Project

For the past five years, Rich Township High Schools, a suburban school district in southern Cook County, Illinois, has applied LRE concepts, including peer-based mediation, to its curriculum (McDonald and Moriarty 1990). The theoretical rationale for mediation as a democratically sound construct has been articulated, emphasizing the degree to which it utilizes democratic principles in action (Moriarty and McDonald 1991). A preliminary study of mediation's effect on decreasing student discipline problems has been encouraging, indicating that it is an effective adjunct to a school's discipline policy (Tolson, McDonald, and Moriarty 1991). In addition, students' ready acceptance of mediation as a means of resolving disputes has been demonstrated empirically (Moriarty, Mansfield, and Leverence 1992).

The model for the Rich Township mediation program was synthesized from a number of existing approaches and the authors' experiences in clinical psychology and social work in a variety of educational roles. The elements of this training process have been described in a recent article (Moriarty and McDonald 1991a). The positive experience of being a mediator in training has also been explained from the perspective of an independent observer (Shields 1992).

Budgetary Considerations

The costs involved in this type of program are quite modest. At Rich Township, for example, we operated in our first year on a budget of less than $500. We used no outside consultants, choosing, out of necessity, to rely on our previous experience and training. The only costs involved the purchase of forms and notebooks; in addition, mediators were provide with appointment calendars as a tangible expression of the school's support for their efforts.

Schools wishing to implement a peer-based mediation program can use outside consultants or first survey resources available within their system and then tailor decisions to their particular needs. For a number of schools, we have acted as outside consultants to train mediators, and we have also seen schools start up their programs without such assistance. In the latter case, school personnel had professional backgrounds and experiences similar to our own.

Student Selection Process

A critical process in implementing peer mediation is selecting student mediators. These young people must be able to deal with a range of situations, think quickly and clearly, and they must have a peacemaker's interpersonal skills. Based on our own and others' experience, we recommend selecting students with emerging leadership characteristics by asking various staff members—especially deans, guidance counselors, and others familiar with student behavior outside the classroom—to identify students they perceive as having "clout" with their peers. Students so viewed appear to have the characteristics typical of respected classmates. They are able to positively influence their fellow students' problem-solving strategies, and they can keep information confidential.

While this approach may initially seem somewhat nonspecific, the results have been surprisingly effective. Staff personnel from different school areas often agree on which students have "clout." For example, in our first year of operation, the guidance department and the deans of students agreed on ten of twelve students who were nominated by each group for the mediation team. Other criteria, such as grades, deportment, or outside activities, were not used in the screening process.

Administrative Considerations

The requirements for successfully administering a mediation program are surprisingly few. There are training needs; referral and agreement forms; a clearinghouse for referrals (often a secretary or one of the team sponsors); a private, comfortable place to conduct the mediations; and a number

of staff members willing to serve as observers during the mediation sessions. Once these components are identified and secured, the program is ready to be implemented.

Training Issues

Describing some fairly complicated mediation tasks and concepts in simple terms was a critical step in the process of building a workable mediation model, and our attempts resulted in the creation of a document titled "Rich Township Mediation Components," a framework that junior-high and high-school students can clearly understand. We found that our model actually contained problem-solving skills that had originally distinguished our fledgling mediators; that is, the selection process appeared to have identified students with essential mediation skills. Our model simply provided the skills with labels and refined more than taught them.

Peer mediation puts LRE into practice. Mediation is the most direct application of LRE principles and democratic experience outside the classroom.

Next, we found that providing the team members with opportunities to teach the mediation process assured that they would understand it. Consequently, we moved quickly in using the team to assist others in setting up mediation projects and involved them in training new mediators for other programs.

Involving the students at this level proved advantageous in several respects. First, by taking on the teaching responsibility, the mediators were able to ensure that the topics were explained in ways that all new recruits could understand. Second, their teaching gave them an even deeper understanding of and appreciation for the value of the mediation process. Third, it gave us a self-perpetuating model that effectively continues largely on its own momentum and empowers the team by providing additional tangible results of their efforts.

Training Centers

While in the first two years of operation much care was put into the task of mediator training at Rich Township, it has now become relatively routine, with mediators taking most of the responsibility for their own training. School personnel oversee this process during an annual training day, but only to ensure that its steps are properly and fully communicated.

Also, the students themselves, in assuming the responsibility for teaching the model to others, are well qualified to improve it as they see fit. As we have presented the model to other school systems, we have had the additional benefit of their helpful feedback and have made improvements in our own model. Through this process, we have ensured that both the training and implementation of our program remain faithful to its original intent and theory.

Forms

In the interests of simplicity, the Rich Township model uses two three-part carbon forms, one for referral and one for agreement. We have found that only these are necessary, especially in light of our belief that mediation is a private matter between the student disputants. One copy of the referral form is retained by the referral source, indicating only that a mediation was scheduled. For purposes of privacy, the terms of the agreement are not indicated on this form. The mediation agreement form contains more information, including the specific terms of the agreement worked out between disputants. Being more sensitive, this information is given only to the disputants themselves, and a copy is placed in a mediation file to which access is limited to researchers and administrative staff.

The referral and agreement forms can be distributed to participants at the mediation. Follow-up forms can be used to monitor agreement compliance. Also, to assess the program's effectiveness for research purposes, a variety of year-end evaluation forms can be given to mediators or disputants.

The Clearinghouse

We have found that it is most effective to process mediations through a single school office. We chose the office of the

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dean of students, which handles disputes proactively as in mediation, but also reactively as in standard school discipline practices. This office also provides the advantage of consistently assigning cases, in terms of both the kinds of disputes to be mediated and the mediators selected.

There are two deans of students at each Rich Township High School, and they well understand which problems are best settled by mediation in their setting. They also have become familiar with the mediators' differing strengths, abilities, and scheduling restrictions.

Conclusion

We have found that peer mediation is an excellent means to practice LRE. Our mediators handle a significant number and a wide variety of problems each year. Nearly all these referrals have been successful, and we believe the empirical evidence for the program (Tolson, McDonald, and Moriarty 1991) further supports the argument that peer mediation applies LRE principles in a most effective manner. Finally, it is currently the most direct application of LRE principles and democratic experience outside the classroom.

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Using Mediation in Juvenile Justice Settings

Melinda Smith

The last ten years have seen a growing interest in incorporating mediation into the juvenile justice system. Mediation programs for status offenders and juvenile offenders on probation and in corrections facilities have been implemented in many parts of the country. This article will draw upon the experiences of the New Mexico Center for Dispute Resolution (NMCDR) and other agencies operating juvenile mediation programs. It will not only examine program models within the juvenile justice system but also address the potential of and need for community-based prevention programs for children and families. Models for collaboration among youth agencies and mediation centers will also be examined.

Juvenile Justice Mediation Programs

The two juvenile justice mediation program models most frequently used in the United States are parent/child mediation for status offenders and victim/offender mediation for juvenile offenders.

Parent/Child Mediation. The parent/child program model was developed by the Children's Hearings Project in Cambridge, Massachusetts, over a decade ago. Because of its success, it was replicated throughout Massachusetts as a state-funded program. According to a report from the Institute of Judicial Administration, there are now over 60 such programs in the country (Shaw and Phear 1989).

Status offenses include runaway, truant, and incorrigible behavior. While there is a move to shifting juveniles who commit status offenses from the juvenile justice system to the social service system, many parts of the country still have status offenses under court jurisdiction. Parent/child mediation offers juvenile court judges and probation officers a family-centered problem-solving approach to dealing with status offenders.

Parent-child mediation encourages structured negotiations about concrete family-life issues—such as school attendance and performance, curfew, and household chores.

Parent/child mediation encourages structured negotiations about concrete family-life issues. It is based on the premise that compliance with daily living agreements between parents and children increases their mutual trust and facilitates negotiation on larger future issues. Families bring issues to the table such as school attendance and performance, curfew violations, social life, household chores, independence, privacy, sexual activity, and family interaction patterns. Trained volunteer mediators help family members work toward a concrete agreement that each family member feels is fair and realistic.

The program model is most effective if it is tied to a larger network of community resources and agencies that provide a continuum of care for adolescents and their families. Families can be referred to other community services when they need them, such as counseling or substance-abuse treatment.

Follow-up studies of parent/child mediation programs have shown that there is a high rate of adherence to mediated agreements and of improved family functioning. In a research study of the Cambridge program, over half the families studied said they had changed the way they handled conflict. Seventy percent of the family members said that there was less arguing and fighting after the mediation (Merry 1985). In an evaluation of a program in Washington, D.C., 62% of the parents and 68% of the adolescents felt that the problem had been solved through mediation. Over 75% of the families believed that mediation had made a difference in how family members are getting along (Stahler, DuCette, and Povich 1990). The encouraging results of this research are an indication that the process could be effective for families before children become involved in the juvenile justice system. The need for community prevention models for parent/child mediation will be addressed in a later section.

Victim/Offender Mediation. The most widespread use of mediation with juvenile offenders is victim/offender mediation. This process brings juvenile offenders together with

their victims to negotiate some form of victim compensation. The program models and reinforces many of the cognitive and problem-solving skills discussed earlier, such as responsibility and accountability. It helps juvenile offenders understand the human impact of their actions, the emotional violation as well as damage or loss of property that the offenses usually cause. The offender is held accountable for actions in a constructive and humane manner.

When agreeable to both, the victim and the offender can negotiate some type of service to the victim, or community service in addition to or in lieu of monetary restitution. Service to the victim may be directly related to the offense. For example, if the offender damaged the victim's property, the victim and offender might negotiate the offender's repair of it. If community service is negotiated, it can take the form of service to one of the victim's favorite charities or a more traditional form of service already established in the juvenile justice system.

The types of cases handled and the referral mechanisms vary across jurisdictions. The process has worked successfully with offenses such as commercial and residential burglary, larceny, DWI with personal injury or damage to property, criminal damage to property, and assault and battery. A successful program model has been developed by the NMCDR as a public-private partnership between the NMCDR, a private nonprofit agency, and a public agency—the juvenile probation and parole office in Albuquerque. NMCDR staff have an office at juvenile probation. All cases involving restitution are first screened by NMCDR staff to assess appropriateness for mediation. If cases are suitable and the parties agree, a mediation is conducted by volunteer mediators. The cases are then returned to the juvenile probation office to monitor the agreements and collect any monetary restitution, if it was negotiated.

Recent research on the program in Albuquerque and at three other sites has demonstrated that both juvenile offenders and their victims are significantly more likely to have experienced fairness by the juvenile justice system compared with similar offenders and victims who did not participate in mediation. Further, offenders are significantly more likely to successfully complete their restitution obligation than similar offenders who were ordered by the court to pay restitution, with no mediation involved (Umbreit 1990).

The research has also shown a considerable decrease in subsequent offenses among mediation program participants compared with nonparticipating offenders. While the difference is not statistically significant, this finding merits additional research on the program's impact on recidivism.

Mediation in Juvenile Correctional Facilities. A third program model brings mediation and conflict resolution to youth incarcerated in correctional facilities. The goal is to change the institutional approach to handling internal conflict from a punitive one to one that uses problem-solving methods. Active programs have been implemented in New Mexico by the NMCDR and in California by the Community Boards Program. Programs have more recently been developed in Colorado, Minnesota, and Massachusetts.

Victim-offender mediation apparently increases both sides' sense of the fairness of the juvenile justice system.

The NMCDR developed a three-component program model for several facilities in New Mexico:

1. a conflict-resolution curriculum that can be taught either in an academic or residential setting
2. a training component that shows staff and residents how to mediate facility conflicts before they escalate into incidents for which residents are sanctioned
3. a reintegration component that mediates family agreements for daily living when the young person returns home.

With a model for positive expression and problem resolution, residents can learn alternatives to violent and self-defeating behavior.

The first two components have been implemented at two facilities in New Mexico: a short-term diagnostic facility and a long-term maximum-security boys ranch. The mediation process is introduced not to replace but to supplement existing disciplinary policies and procedures. A team of two residents mediates conflicts between residents. For disputes between staff and residents at the short-term facility, an adult/youth team mediates. This model was not accepted at the boys ranch because of concerns that it would undermine staff members' authority.

The model's third, reintegration component was implemented for a time at a halfway house but was terminated

Case Study in Victim/Offender Mediation

A teenage boy was pressured by friends into burglarizing the home of a single mother with a six-year-old daughter. The child was traumatized by the event, especially since her belongings were disturbed. Both mother and daughter were afraid of further victimization. The case was referred to victim/offender mediation as a condition of the offender's probation. Once the mother had an opportunity to meet with the offender, her anxiety was relieved. As part of the mediation agreement, she asked him to write a letter to her daughter explaining the offense in language the child could understand and apologizing for the harm he had caused. The offender also agreed to make a presentation on the negative effects of peer pressure to a local elementary school class. The victim was so impressed with the mediation process that she enrolled to train as a volunteer mediator.

after staff changes. Implementing this part of the program proved difficult; yet juvenile offenders' transition to the home and community is critical to their long-term success. Adequate funding and justice-system commitment are essential if this component is to be implemented and evaluated.

An evaluation of the New Mexico program at the two facilities analyzed: (1) pre-, post-, and follow-up instruments administered to youth receiving conflict-resolution curriculum and mediation training; (2) interviews with staff and youth; (3) deportment records from living units and on-site schools; (4) surveys of program participants' success with community reintegration. The results showed that youth exposed to the conflict-resolution curriculum and those trained as mediators were able to remember and apply its methods to situations encountered at the facilities. There was a 37% decrease in disciplinary infractions among youth mediators compared with 12% for youth who were not trained as mediators. Youth trained as mediators had a 18.3% lower recidivism rate during the first six months after returning to the community than a control group without mediation training (Steele 1991). While these preliminary results are promising, more research is needed to measure the short- and long-term impact of these types of programs.

Violence Intervention Program. Another NMCDR program model for juvenile offenders, undertaken with the Albuquerque juvenile probation and parole office, is the Violence Intervention Program, which is in its third pilot year. The program model consists of an intensive probation and surveillance component and, required as a condition of probation, an educational program for offenders and their parents. The program is intended as an alternative to commitment in a short-term juvenile facility. Probation officers screen and select youth for the program. The NMCDR provides offenders with a twelve-week curriculum of skill-building exercises in communication, problem solving, consequential thinking, conflict management, anger management, assertive communication, and negotiation skills. A parallel curriculum component is also provided to parents in an attempt to enhance the entire family's ability to interact in more effective and functional ways. Program impact on youth and their families will be measured through an evaluation currently being implemented.

Promising prevention models range from already developed school-mediation programs to new ideas such as gang mediation.

This program's design was based in part on the work of Robert Ross of the University of Ottawa. Adult violent offenders in Canada who received instruction in a cognitive skills curriculum entitled "Time to Think" recidivated at a rate significantly lower than offenders who received a life-skills curriculum and those who received no curricular intervention (Ross, Fabiano, and Ewles 1987).

Community-based Prevention Programs

While mediation programs based in the juvenile justice system are providing valuable services to clients and the system in general, the importance of developing community-based prevention programs for children and families must be underscored. At the Ohio State University School of Law, a recent symposium convened to address the state of juvenile-mediation research and practice. Experts agreed that program and research priorities should be placed in the prevention area. The social and financial costs of intervening after children are involved in the justice and social-service systems are proving too high.

There are a number of promising prevention models emerging, from well-developed school-mediation programs to new ideas such as gang mediation.

School Mediation's Success. School mediation programs serve the critical prevention role of creating new norms for social interaction within the school's culture, where physical fighting and violence are unacceptable methods of resolving conflict. Such programs are now operating in hundreds of schools throughout the country. Most models train elementary and secondary students to mediate disputes at school. At both levels, conflict-resolution curriculum can be integrated into the ongoing classroom curriculum so that all students have an opportunity to increase their communication and problem-solving skills.

Evaluation studies, interviews, and anecdotes show consistent results in terms of impact on students and school climate. Students trained as mediators show enhanced self-image and self-esteem, and increased problem-solving and conflict-resolution skills. Schools also report decreased violence and generally improved school climate (Van Slyck and Stern 1992).

One Albuquerque elementary school principal comments: "We were having 100 to 150 fights every month on the playground before we started the program. By the end of the year, we were having maybe 10."

A school administrator in western New Mexico remarks: "A goal of our district has been the building of self-esteem. We feel that this program is an essential element of this process. There are very few preventive types of activities that society offers to 'at-risk' students. The mediation program is a preventive program."

In response to these positive findings over almost a decade of school mediation practice, the field needs to call upon policymakers at the state and federal levels to put more resources into school mediation programs. In New Mexico, the NMCDR is working with a newly created agency of state government—the Department of Children, Youth and Families—to incorporate school mediation into its prevention programming. The effort is being couched not just as a school program, but as an important prevention model in the spectrum of programs in the social service and juvenile justice systems. A major appropriation to fund this initiative has been approved by the New Mexico Legislature.

More School-based Prevention Programs. Other emerging prevention models include the provision of parent/child and truancy mediation services in the schools. Bringing these services directly to the school is consistent with the growing movement to provide school-based social services. In Albuquerque, the NMCDR is currently piloting a school-based parent/child mediation program at a middle school and a truancy mediation program at a high school. In the middle-school model, community volunteers are trained to mediate family conflict. School staff refer families to the program, and a school social worker interviews the family to assess needs and determine if mediation is appropriate. The truancy program will train school staff and community members to mediate truancy issues.

Programs like truancy mediation are consistent with providing school-based social services.

In order to implement programs like these on a long-term basis, shifts in community resources will need to be made. Because schools, with their limited budgets, are unable to staff the programs, additional staff, including social workers and program managers, will be needed to operate them. Using community volunteers as mediators is one cost-effective solution.

Gang Mediation. A relatively new application of school mediation is in the resolution of gang-related disputes. The NMCDR was asked by an Albuquerque middle-school staff to design a mediation process to intervene in a three-gang conflict that involved turf issues and complaints against the school's administration. Guns and knives were confiscated daily, and older gang members from the neighborhood gathered near the school, threatening departing students. The school administration had tried various measures—such as searching for weapons, limiting groups to five students, banning colors, imposing dress codes, and counseling—but nothing reduced the conflict and tension.

To implement the mediation process, the NMCDR collaborated with school staff and another community agency experienced in gang-intervention work. The principles of multiparty mediation were applied in designing the model. Each gang was asked to select three representatives and three alternates to sit at the mediation table. The administration was also asked to select three representatives to participate. Mediation sessions were held over a six-week period. The gangs were able to negotiate two major agreements, one being a "no-first-strike" agreement under which gangs would not provoke fights. The second involved a major concession by the administration to allow "colors" to be worn at the end of a two-week period without gang conflict. Ongoing conflicts are now being handled through a mediation program in place at the school.

There are numerous benefits to using mediation to respond to school-based gang conflict. The most important is that school violence and student suspension can be prevented, thus keeping students out of the juvenile justice system. In addition, the mediation process:

- Creates, through modeling, a learning experience for youth in constructive and nonviolent methods of resolving conflict. Many young people have never before experienced alternatives to violence for gang-related problems.
- Brings together all the groups who have a stake in the problem and opens dialogue to all the issues.
- Allows full discussion of underlying concerns such as safety and the need for protection and recognition.
- Brings together school and community groups to share their collective resources and expertise in improving conditions that affect young people's lives.

No single agency or organization should attempt to implement a multiparty gang mediation. It is imperative for the process to involve the collaborative efforts of school staff, the local community-mediation agency, and at least one youth agency that regularly works with gang-involved youth in the community or schools.

In this process, each agency should bring its resources and expertise to the collective enterprise. The mediation agency provides its expertise. The youth agency provides youth workers who can (1) act as advocates for gang mem-

Budget for Victim/Offender Mediation Program

This is a annual budget for a program that would mediate at least 250 cases per year. The program might be one of several operated by a nonprofit agency with other staff and administrative support.

PERSONNEL	
Program Coordinator (1 FTE)	$27,000
Secretary (.5 FTE)	10,000
FICA and Fringe (20% x $37,000)	7,400
OPERATING EXPENSES	
Supplies	1,000
Phone ($60/mo. x 12)	720
Photocopying ($100/mo. x 12)	1,200
Postage ($20/mo. x 12)	240
Rent ($200/mo. x 12)	2,400
CONTRACTUAL	
Mediation Trainer ($600/day x 5 da.)	3,000
Volunteer Mediator Liability Insurance for 30 mediators @ $750	750
ADMINISTRATIVE OVERHEAD	
10% x $53,720	5,372
TOTAL	$59,082

bers, establishing trust and interpreting the proceedings for English-as-a- second-language learners; (2) get youth participants to the mediation table; and (3) reinforce the entire process. The school provides the knowledge of the students and gangs, establishes teacher and staff commitment to the process, and provides the time and place for the mediation sessions.

Models for mediating community-based gang conflict need to be developed. We know that mediation can work for certain school environments, but the challenge is to bring the process to community centers, housing projects, churches, youth centers, and other settings. Can the process work for older gang members? for gang members and their parents? What models can be developed that bring youth and their advocates together with community leaders, elected officials, and police officers to negotiate improved conditions for all community members? More work needs to be done to answer these questions.

Combined School and Neighborhood Mediation Model. Finally, the creative merger of school and neighborhood mediation program models has just been developed in a low-income neighborhood in Albuquerque as a collaborative effort among the neighborhood association, the community center operated by the City of Albuquerque, the local high school, and the New Mexico Center for Dispute Resolution. This model can serve an important preventive function, though much depends on the willingness of youth to trust the mediation process and participate in it. Ten adults and ten students from the neighborhood have been trained to mediate both school and neighborhood disputes. The students, some of whom are "at risk" for involvement in the juvenile justice system, earn high-school credit and receive a small stipend for their participation. Adult neighborhood residents are paired with students and serve as mediation partners and mentors. Program staff from the community center take case referrals and manage the day-to-day program operations.

Combined school-neighborhood mediation can serve an important preventive function. Issues range from the problems of juveniles at school and home to barking dogs and trespassers.

The NMCDR's role is to provide training and technical assistance only. The program will mediate problems involving juveniles in the school and community setting as well as common neighborhood problems such as barking dogs, trespassing, and noise. In addition, the police will play an important role in the program by referring parties to mediation. Two officers who work the neighborhood beat were trained with the mediators to enable the officers to fully understand the process and refer appropriate cases to mediation.

Field Needs. While experts agree that prevention is where program emphasis should be placed, the field needs more information about the programs' efficacy. In order to support public-policy initiatives, research and development funds need to be appropriated to assess the long-term impact of mediation programs on children, families, schools, and communities.

A further field need is increased program-development collaboration between community-mediation centers and youth and juvenile justice agencies. Two recommendations for the community-mediation field emerge. Community-mediation centers can benefit from increased and vigorous collaboration with local agencies. These include youth-serving private agencies (such as youth centers, neighborhood associations and centers, substance-abuse programs, private social-service agencies, boys' and girls' clubs, and youth shelters) and public institutions (such as juvenile probation and children's court). Collaboration should also increase at the national level among the community and youth services fields through joint programs and policy initiatives among national associations.

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Resources

National Association for Mediation in Education (NAME), 205 Hampshire House, P.O. Box 33635, University of Massachusetts, Amherst, MA 01003-3635; (413) 545-2462. A major clearinghouse for information about conflict resolution in schools, NAME can provide technical assistance and training. It also has an extensive list of print and non-print resources.

Society for Professionals in Dispute Resolution (SPIDR), 815 15th St., N.W., Suite 530, Washington, DC 20005; (202) 783-7277. Provides information and resources about mediation and arbitration.

Conflict Resolution Resources for Schools and Youth, Community Board Program, Inc., Suite 490, 1540 Market St., San Francisco, CA 94102; (415) 552-1250. This pioneering organization in school-based mediation offers a variety of materials, curricula and support services.

American Bar Association Standing Committee on Dispute Resolution, 1800 M St., N.W., Washington, DC 20036; (202) 331-2258. Offers a variety of materials and information on school mediation; is piloting a program to involve law firms in "adopting" school mediation programs.

National Institute for Dispute Resolution (NIDR), 1901 L St., N.W., Suite 600, Washington, DC 20036; (202) 466-4764. A research organization that promotes the development and introduction of school mediation programs; has a grant program now under development.

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Checklist for Mediation Session

Part I. Introduction
1. Have everybody introduce themselves.
2. Explain the mediator's role.
3. Explain ground rules.
   An example of a good ground rule is:
   Respect each other.
4. Explain steps of mediation.
5. Ask for any questions before you begin.

Part II. Telling the Story
1. Both parties tell their side of the story to the mediator.
2. Summarize both parties' side of the story.
3. Make sure *you* understand the conflict.
4. Make sure the parties understand the conflict.

Part III. Identifying Facts and Feelings
1. Parties tell their side of the story to each other.
2. Bring out facts and feelings of what the parties say.
3. Have parties change roles.
4. Summarize the facts and feelings of both sides.

Part IV. Generating Options
1. Ask both parties how they can solve the problem.
2. Write down all solutions.
3. Chack off only the solution(s) that both parties can agree to.

Part V. Agreement
1. Use only the solutions that both parties agree to.
2. Write the contract up in parties' own words.
3. Everybody signs it.

Part VI. Follow-Up
1. Explain how follow-up works.
2. Remember to thank the people for being there and for letting the mediation service help them.

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